

## **MINUTES OF REGULAR MEETING HELD MARCH 10, 2020**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, March 10, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

**PRESENT:** Mayor Brindle Council Members, Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

**ABSENT:**

### **INVOCATION AND FLAG SALUTE**

Invocation was given by Councilwoman Mackey followed by the flag salute.

### **PRESENTATIONS**

#### **Administrator's Update**

- Provided an update concerning COVID-19 (Coronavirus) and informed residents of meetings held with Union County to monitor the issue. Feels the Town is in “good hands” with the Health Officer and Police Chief. Also feels it is a good practice for all to avoid handshaking and encouraged social distancing. Discussed information available on the Center for Disease Control’s (CDC) website as well as the Town’s website. Stated that these sites also contain links to other helpful sources;
- Discussed the census and stated that questionnaires should be distributed to households this month. Informed residents that there is a census resource center available on the Town’s website and discussed information that is included. Explained that it is very important for all residents to complete and submit the questionnaire to ensure everyone is counted. Further explained that census data is used to calculate the amount of funding to legislative districts and municipalities.

#### **Mayor's Remarks**

- Provided an update of the RVL Mayors’ Alliance and stated that a meeting was hosted with over twenty (20) mayors in attendance to hear speakers representing Governor Murphy, Senator Booker, and Congressman Malinowski. An update was also received from NJ Transit executives on the RVL peak one-seat ride feasibility study and planned service improvements. The feasibility study should be completed by June which would provide some clarity regarding peak one seat ride possibilities. Stated that she remains optimistic about the possibility of finally getting the RVL service that is deserved and would keep fighting for commuters and residents;
- Discussed the formation of the Human Relations Advisory Commission in January 2020, whose focus will be on fostering an environment of inclusivity, mutual understanding, and respect. Explained that she received numerous applications from the community, demonstrating the real need for this commission. To enable the Town to maximize the diversity of the Commission, an ordinance is being introduced tonight to expand this commission from seven (7) to nine (9) members who will be appointed in April. Extended her thanks to all that applied to serve on this commission, and stated that she expects it will play a critical role in the community;
- Discussed the update on Coronavirus provided by the Health Officer during the Town Council’s Conference Meeting earlier this evening. Explained that this is a situation that is evolving daily, and reminded everyone that the Health Officer, as Regional Health Director for eight (8) municipalities, is in regular contact with state and federal health

officials, and also sits on Governor Murphy's Coronavirus task force in her capacity as President of the NJ Association of County and City Health Officials. The Health Officer is also advising the Westfield Board of Education and is in contact with them multiple times each day. Encouraged residents to visit the Town's dedicated Coronavirus information center on the its website at [westfieldnj.gov/coronavirus](http://westfieldnj.gov/coronavirus) where regular updates would be posted as necessary;

- Discussed the Cranford Zoning Board meeting regarding the UCC Cell Tower proposal with a second meeting scheduled for next Monday. Stated that she spoke to Cranford Mayor Patrick Giblin yesterday, and reached out to the Board at Fairview Cemetery to encourage them to attend the meeting since Verizon is now contemplating moving the proposed tower closer to the cemetery, which is a national arboretum. Stated that Ward 2 Councilman Michael Dardia attended the meeting to advocate for affected residents;
- Extended her thanks to all of the downtown property and business owners who came out last Thursday to meet the new DWC Executive Director Robert Zuckerman, and to hear updates from the Town Planner. Explained that these stakeholders would be critical to the revitalization of the downtown, and she looks forward to sharing some significant steps the Town would be taking in that regard later during tonight's meeting;
- Discussed high school athletes who have taken home championship trophies and stated that it seemed appropriate to recognize these female athletes tonight since International Women's Day was just celebrated on Sunday. Congratulated Westfield High School junior Katie Hamilton who just won the state championship in the 1600m with a winning time of 4:57, and who is the first Westfield girl to win a track and field state championship. Also congratulated coaches Jen Buccino and Joe Berardi for their support of Ms. Hamilton and thanked them for making the Westfield community proud;
- Acknowledged the Westfield High School girl's junior varsity and varsity basketball teams who each won Union County championships. The varsity Blue Devils won the championship for the first time since 2008 and were led by senior captain Caroline Dwyer, with fourteen (14) points, and sophomore Chloe Kreusser, with eighteen (18) points and ten (10) rebounds in the championship game over Governor Livingston. Congratulated all of the athletes, varsity coach Liz McKeon and JV coach Brian Ciemniecki for their historic wins;
- Discussed the promotion of Westfield Police Department members and congratulated Piotr Wierzbicki and Elizabeth "Betsy" Savnick on their promotions to detective and Marcin Kapka and Nicole Stivale on their promotions to lieutenant. Stated that it is worth noting, in the spirit of International Women's Day, that Lt. Stivale is now the highest-ranking female in the history of the Westfield Police Department as she becomes the first woman in their history to reach the rank of lieutenant.

Councilman Dardia referred to Mayor Brindle's comments and stated that he attended the Cranford Zoning Board of Adjustment's meeting concerning the proposed cell tower at Union County College. Explained that hours of testimony were heard, but there was no opportunity for public comment. Feels this was unfortunate because he intended to discuss the Westfield Town Council's opposition to the proposed cell tower and also intended to discuss his representation of Ward 2 residents which would be most impacted by the project. Mentioned that another meeting of the Cranford Zoning Board of Adjustment is scheduled for next week.

## **APPOINTMENTS**

### **Oaths of Office**

Mayor Brindle administered the following Oaths of Office to members of the Westfield Police Department:

Nicole Stivale-Police Lieutenant  
Marcin Kapka-Police Lieutenant  
Piotr Wierzbicki-Police Detective  
Elizabeth Savnik-Police Detective  
Anthony Perconte-Police Officer  
Donald Picciano-Police Officer  
Alexis Forero-Police Officer  
Markovy Jacques-Police Officer

**PRESENTATIONS (continued)****Presentation to Katie Hamilton – High School Track Achievements**

Mayor Brindle presented a Certificate of Achievement to Katie Hamilton in recognition of her track and field state championship win in the 1600 meter.

**Presentation to Westfield High School Girls Basketball Team**

Mayor Brindle presented a Certificate of Achievement to members of the Westfield High School Girls Basketball Team in recognition of their county championship win.

**Lifelong Westfield**

Councilman Contract discussed Lifelong Westfield which is a new initiative with the purpose of helping to promote aging in place. Introduced Lily Maguire and Emily Duncan, juniors of Westfield High School, who have been working on an a newsletter for Lifelong Westfield for the past nine (9) months.

Emily Duncan stated that she has worked with Lifelong Westfield for approximately one (1) year. Explained that the Senior Advisory Council was founded in Westfield to educate senior citizens on events and services available to them in an effort to help them remain in Westfield. Stated that they have been working on a newsletter as part of Lifelong Westfield initiative and yesterday was the email release of the first edition to over two hundred (200) recipients. In addition, hard copies would be available at locations frequented by senior citizens, such as the Memorial Library and the Community Room.

Lily Maguire discussed the content of the newsletter, including an explanation of Lifelong Westfield and some of the events offered. Also stated that a list and a brief introduction of members to the Senior Advisory Council were included. In addition, discussed an article on walking safety that is included and an event held in collaboration with the Police Department to provide safety vests to senior citizens that frequently walk. The newsletter also includes articles related to Westfield 300, senior citizen discounts in Westfield, health tips, and a featured senior column. Mentioned that the next edition of the newsletter would be released in June and they are excited to see what Lifelong Westfield can do for Westfield seniors.

Brad Chananie, Lifelong Westfield co-chair, thanked the Mayor, Town Council, Police and Fire Departments for their support. Feels Westfield is a phenomenal Town and a great community to age in place.

Mayor Brindle commended Mr. Chananie for his efforts with Lifelong Westfield.

**Department of Public Works**

The Director of the Department of Public Works (DPW) presented DPW's production report for year 2019. Stated that during his five (5) year tenure as Director of Westfield's DPW, 2019 was its most productive year. Discussed the Parks Division, led by Richard Eubanks, and stated that over seventy-two (72) Town properties and thirty-two thousand (32,000) acres of lawn were mowed and maintained. In addition, ballfields are continuously being groomed and were groomed a total of one thousand, eight hundred and twenty (1,820) times last season. Also discussed Downtown Westfield maintenance and events, which is led by Craig Gibson, and stated that Mr. Gibson and his crew handled over thirty (30) events that involved over twenty (20) different organizations. This involves setup, break down and monitoring of these events. In addition, Mr. Gibson and his crew also removed over one hundred and thirty (130) tons of solid waste from Downtown Westfield in 2019. The Forestry Division, supervised by Robert Kosciolk, planted and maintained over nine hundred and twenty (920) trees in one (1) year, along with the pruning and removal of an additional six hundred and ninety-four (694) trees. In addition, over the last five (5) year span of an aggressive tree planting initiative, two thousand, four hundred and sixty-four (2,464) trees were planted in the rights-of way and on public property. With respect to the Roads Division, led by Eugene Watkins, over three hundred (300) tons of bituminous concrete was used to fill potholes, and through the purchase of a roller and box paver, which allows for the patching of large areas, two hundred and nineteen (219) tons of bituminous concrete was used. Explained that this amount would also increase as DPW becomes more experienced with the box paver. Discussed three (3) members of DPW that are mechanics and stated that they handled over two hundred and fifty (250) cars, SUV's, trucks and pieces of equipment in 2019. Also discussed other functions handled by DPW, including in-house sign manufacturing and installation, line painting, and the maintenance of over five hundred and

twenty-eight thousand (528,000) feet of sanitary sewer lines. Lastly, discussed the Conservation Center, which includes thirteen (13) different services, and explained that the Town's ability to charge for some of these services has allowed the Conservation Center, including overtime, to operate at zero cost.

The Director of Public Works explained that this is just a brief overview of what is handled by DPW. Thanked the Mayor and Town Council for their support and commitment to the department. Feels he is blessed to have a dedicated production and supervisory staff, as well as a positive relationship with the Teamsters collective bargaining unit, and thanked all DPW employees for their efforts. Also thanked the Police and Fire Departments for their constant support and assistance and hopes that the actions of DPW will help to provide greater health safety and welfare to the residents of Westfield.

The Town Administrator asked members of DPW that were in attendance to stand and be recognized.

Councilman Contract commended the Director of DPW and the entire department for its efforts. Also discussed Westfield Connect and DPW's willingness to embrace technology in an effort to help residents. In addition, discussed the recycling programs at the Conservation Center and while the statistics were not mentioned, stated that an enormous amount of plastic bags, Styrofoam, batteries and toys have been collected and recycled, and thanked supervisor Richard Eubanks for taking the lead on this. Lastly, Councilman Contract invited all to go to Tamaques Park to see the fence the Parks Division built from a downed tree, which saved the Town \$3,000.

#### Mayor's Presentation-A Bold Action Plan for a Brighter Future

Mayor Brindle presented the following:

#### **A Bold Action Plan for a Brighter Future**

In two weeks, we will be presenting our 2020 budget to the public. While the budget is still being finalized, I want to take this opportunity to provide some context behind the numbers, let you know what to expect in this year's tax bill, and share our growth strategy for the future.

First and foremost, some background. For the past decade, the Town has taken a very conservative approach to budgeting which has effectively maintained the status quo while yielding a positive AAA bond rating and sizable surplus. It's an approach that a financial advisor would apply to a couple in retirement, ensuring there is adequate funding to support basic needs for their remaining years, while leaving something for the grandkids.

For Westfield, this has resulted in a healthy nest egg, but has come at the expense of long term investment in roads, parks, infrastructure, and our downtown to adequately meet the reasonable expectations of taxpayers.

It's a strategy that has also made us overly reliant on revenue sources that contradict good long-term policy, such as parking tickets and permits for tear downs, road openings, and construction. This not only undermines our neighborhood character, downtown vibrancy, and quality of life, but also makes us vulnerable to the whims of the economy, which has necessitated an excessive surplus as a safeguard.

Since I was elected, we've begun to take a different approach. Under the leadership of Finance Chair Councilwoman Linda Habgood, we have begun transitioning our financial approach to one that a financial advisor would apply to a growing family with a long and expansive future ahead. We made investments in roads, equipment, and automation, while returning excess surplus to the taxpayers in the form of a zero percent municipal tax increase last year. That reduction was a deliberate decision made, in part, to reduce taxpayer uncertainty over the impact of the county mandated tax revaluation, the final outcome of which resulted in a decrease in taxes for 57% of residential properties.

We have also made conscious decisions to reduce downtown parking enforcement, discourage tear downs and subdivisions, and protect our newly paved roads with a temporary road opening moratorium until a better long term solution was determined.

In the short term, while we have made these choices to positively impact issues that matter to residents, understandably they have resulted in a revenue shortfall that will force us to make some hard budget decisions this year. To offset that loss, there will be a tax adjustment for residents, and department budgets have been reduced so that our Town's budget is anticipated to increase by only .05%, among one of the lowest increases in recent history.

It's also important to remember that the Town only receives 16% of the property taxes we collect. 24% of our taxes are sent to Union County (we are their largest municipal tax contributor), while 58% of our taxes go to the schools, and 2% to the library. Also of note, 90% of our taxes are paid by residents, not commercial businesses, reinforcing the need to diversify and expand our tax base if we are to improve and enhance Town services.

Going forward, how will we accomplish our goal of increasing revenue to achieve our ambitious plans for parks, fields, and downtown revitalization, without relying on tax increases? The answer lies, in large part, in the economic benefits of redevelopment, a tool created by the State Legislature that has been employed by many NJ towns to jumpstart their revitalization, including Cranford, Summit, South Orange, Princeton, and Morristown, to name a few. Westfield is one of the few towns that has never capitalized on the financial benefits of redevelopment.

There has been a good deal of concern over the health and vitality of our downtown and, rightly or wrongly, there has long been a perception that the vibrancy of our downtown reflects the health of our Town generally. A thoughtful and well-planned redevelopment strategy allows us to control and drive the outcome of future development to bring our Master Plan Reexamination goals to fruition, prioritizing the downtown recommendations as a means to support its revitalization.

As a municipality, we have the authority to declare certain public or private properties as "areas in need of redevelopment," a designation that the State allows if properties meet qualifying criteria. Once designated, a Town may enter into a redevelopment agreement with a potential developer which typically includes a Payment In Lieu Of Taxes (PILOT) and is beneficial for three significant reasons:

- 1) provides the Town significant control over a project, including the power to dictate architecture, building materials, green spaces, amenities and more
- 2) allows the Town to retain 95% of the negotiated fee, with only 5% going to the County (as opposed to 24%)
- 3) provides up to 30 years of consistent, recurring revenue to the Town

For example, the 333 Central apartment building was built without a redevelopment designation, therefore the Town was unable to dictate the project's aesthetics nor reap the financial benefits of a PILOT agreement. As a result, the Town currently only receives 16%, or \$72K, of their current tax bill of \$451,500 (the County receives \$108K). If it had been a designated redevelopment area with a PILOT agreement, the Town could be receiving a 30 year payment of approximately \$380K/year (vs \$20K for the County) as a Payment In Lieu of Taxes. This \$308K positive difference to the Town would be an annual recurring revenue stream that could be used towards improving our parks, adding new fields, and enhancing our downtown.

We also know it's in our collective best interest to adequately invest in our schools. PILOT programs allow the opportunity for the Town to enter into creative agreements with the school district to support specific initiatives that benefit the community as a whole, a potentially very timely opportunity.

For reasons that are unclear to me, Westfield has never pursued a redevelopment designation. The adoption of our affordable housing settlement, however, has provided us with the opportunity to consider redevelopment designations to maximize the economic benefits of development that is already planned. It also enables us to ensure that these developments are in line with our vision, and addresses community concerns regarding traffic, school enrollment, and infrastructure. To that end, the proposed project at 418-448 South Ave East has already been designated a redevelopment area as a preface to an expected agreement with Elite properties, the owner of that development.

This week, the Council voted on resolutions asking for redevelopment studies to assess all eight municipal parking lots and the property that the Rialto building occupies to see if they qualify as “non-condemnation areas in need of redevelopment.” Additionally, we asked for a redevelopment study of the Lord & Taylor sites as a result of our continued conversations with the owner of that property, Hudson’s Bay Corporation, in order to plan for the future of that location.

These potential designations do not necessarily mean that we will be proposing developments on any or all of these sites. But by designating them all, it allows us to take a strategic approach to identifying the best opportunities and locations for new parking solutions and revenue-generating residential, retail and commercial development; as well as planning for the possibility of a new firehouse, community center, and public plazas. As with the Master Plan, we will be seeking and encouraging public input into any proposed downtown plan, a process that will take place during the 3-6 months that the study will take to complete.

Additionally, in consultation with the downtown property owners, we will soon be seeking a study to qualify our entire Special Improvement District as an “area in need of rehabilitation,” a lower threshold designation which does not allow for PILOT agreements. It does, however, allow for agreements with property owners to encourage them to improve their properties through five year tax abatements on the value of their improvements. This designation would ensure that all downtown stakeholders have an opportunity to participate in and benefit from the revitalization of our downtown.

In closing, these opportunities have the potential to reshape Westfield’s future by establishing significant new revenue streams while transforming our Downtown to ensure the long term vibrancy of our community. I can think of no better legacy as we celebrate our 300th year.

### **ADVERTISED HEARINGS**

#### **GENERAL ORDINANCE NO. 2160**

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS”

Due to additional noticing requirements that are necessary, the public hearing for General Ordinance No. 2160 has been postponed until March 24, 2020.

#### **GENERAL ORDINANCE NO. 2161**

“AN ORDINANCE AMENDING THE TOWN CODE TO ESTABLISH REGULATIONS CONCERNING VACANT AND/OR ABANDONED PROPERTIES”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

### **PENDING BUSINESS**

An ordinance entitled, “GENERAL ORDINANCE NO. 2161-AN ORDINANCE AMENDING THE TOWN CODE TO ESTABLISH REGULATIONS CONCERNING VACANT AND/OR ABANDONED PROPERTIES” by Councilwoman Mackey, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood  
Parmelee  
LoGrippe  
Katz  
Mackey  
Contract  
Dardia  
Boyes  
Mayor Brindle

Nays:

Absent:

**BIDS****MINUTES**

On a motion by Councilwoman Habgood and seconded by Councilman Dardia, Council approved the Minutes of the Town Council Conference Session, Executive Session and Regular Meeting held February 25, 2020.

**PETITIONS AND COMMUNICATIONS****OPEN DISCUSSION BY CITIZENS**

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Joe Wilson, Downer Street, discussed previous Town Council meetings he attended in which he asked the Town Council to amend the Town Code with respect to nuisance fires. Explained that because the weather was warm yesterday, he attempted to get home in time to close his windows because his neighbor frequently uses his firepit. He was unable to get home prior to a fire being lit and asked his neighbor to put the fire out to allow him time to air out his home but his neighbor refused. Stated that the Police Department advised him that they cannot address the issue because there is no violation to the Town Code and the only option would be to keep his windows closed when his neighbor's firepit is in use. Explained that his neighbor has sons who use the firepit throughout the evening hours. Also discussed a consent agreement between him and his neighbor that was ordered by the Westfield Municipal Court which requires that his neighbor notify him prior to using the firepit to allow him time to close his windows, but his neighbor refuses to provide any notification. Feels he is being bullied and that it is unfair. Also explained that he must be vigilant at all times or keep his windows closed. Discussed an article he read in Tap into Westfield in which an ordinance was considered that would allow residents to keep chickens and hens, if their neighbors were agreeable. Discussed regulations adopted by Cranford and Edison which allows the municipality to order a resident to extinguish a fire if it is a nuisance.

Councilwoman Mackey informed Mr. Wilson that while she cannot provide any information as to the potential outcome, the Code Review and Town Property Committee would be discussing firepit regulations during its next meeting to be held March 11, 2020.

Mr. Wilson asked that the Town be creative and try to think "outside of the box" concerning nuisance fire regulations. Understands that the Town cannot prohibit a resident from using a firepit and while this situation is personal for him, the Town Council should take action that is appropriate and provides recourse for those impacted by nuisance fires. Explained that the consent agreement he discussed previously served as his recourse.

Mayor Brindle informed Mr. Wilson that the Town Council has no jurisdiction over a court order and suggested that this conversation be resumed after the Code Review and Town Property meeting is held on March 11, 2020.

Mr. Wilson stated that he is a senior citizen and has lived in Westfield his entire life. Explained that he does not want to be a prisoner in his own home but is forced to keep his windows closed because his neighbor could light a fire at 3:00 AM. Feels there needs to be a creative solution.

Councilwoman Mackey asked Mr. Wilson to allow the Code Review and Town Property Committee to discuss this matter. Stated that she is aware of Mr. Wilson's concerns and would bring them to the committee and report back to him.

Sean Smith, 541 Cumberland Street, discussed previous meetings in which he expressed concerns with field safety. Also referred to a previous Town Council meeting at which there was a presentation of the Parks and Recreation Strategic Plan. Discussed Mayor Brindle's comments concerning redevelopment and the potential use of PILOT funds for field improvements. Also discussed the Town Council meeting in which the Parks and Recreation Strategic Plan was presented and comments by Board of Education members indicating that they were unaware that fields owned by the Board of Education would be included in the plan. Discussed emails he has received advising him that more fields cannot be used because they are in poor condition and unsafe. Also discussed the Parks and Recreation Strategic Plan's Steering Committee members who did not communicate with Board of Education members. Feels this issue became politicized

and his priority is the condition of fields for the safety of children. Feels the Town’s fields should be prioritized because he does not feel the Board of Education is interested in working with the Town on this issue. Also feels Westfield is losing its fields because they are unusable and as such are losing programs. Implored the Town Council to discuss this issue with the Recreation Commission and reiterated his concern that the matter not be politicized.

Mayor Brindle discussed her relationship with the Board of Education and meetings she has had with Board of Education members concerning field improvements. Assured Mr. Smith that the Town and Board of Education are working together and that Town fields are also being considered for improvement. Stated that she is very committed to addressing this issue.

Mr. Smith asked Mayor Brindle to address the matter if she finds that “political walls” are blocking progress.

Hearing no further comments, Mayor Brindle closed this portion of the meeting.

**BILLS AND CLAIMS**

On motion by Councilwoman Habgood, and seconded by Councilman LoGrippo, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$2,969,031.74 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

**REPORTS OF STANDING COMMITTEES:**

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilman Contract, were unanimously adopted.

**Resolution No. 67**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$2,000 to the order of the United States Postal Service to replenish bulk mail permit no. 683 in order to process the Conservation Center brochure.

**Resolution No. 68**

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

John S. Castaldo 617 Fairmont Avenue Westfield, NJ 07090	South Side RR Stn/Lot 3 #20030326	\$580.00
--	--------------------------------------	----------

**Resolution No. 69**

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Joseph Cafiero 739 Fairacres Ave Westfield, NJ 07090	T-05 – 600-071 Tennis/Rec	Daddy Daughter Dance Refund – 2 Participants Joseph Cafiero (\$55) Emma Cafiero (\$55) Portrait Mailed Fee (\$3.00)	\$113.00
John Borys 99 Surrey Lane Westfield, NJ 07090	#195 Pool Refund	Pool Membership Refund / Overpaid 2019 Membership	\$100.00



Scott Holzman 941 Cleveland Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Daddy Daughter Dance Refund – 2 Participants Scott Holzman (\$55) Maya Holzman (\$55) Portrait Mailed Fee (\$3.00)	\$113.00
---	----------------------------	--	----------

Jessica Lasota 4 Breeze Knoll Drive Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Daddy Daughter Dance Refund/ Paid Twice (2 participants x \$55)	\$110.00
---	----------------------------	---	----------

**Resolution No. 70**  
RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$273.60 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of February 2020.

**Resolution No. 71**  
RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

Block/Lot/Qualifier	Quarter/Year
Name	Property Address
Amount	
2311/10	519 Lenox Avenue
BARBIERE, Mario	1 <sup>st</sup> /2020
	\$4,598.32

**Check payable and mailed to:**

Corelogic  
Attn: Refunds Dept.  
3001 Hackberry Road  
Irving, TX 75063

4201/35	625 Westfield Avenue	1 <sup>st</sup> /2020
GORDON, Nicole & Mark		\$6,407.54
1546 Fort Palmetto Circle		
Mount Pleasant, SC 29466		

**Resolution No. 72**  
RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2019 pursuant to the Tax Court of New Jersey:

Block/Lot	Year	Amount
Name	Address	
4103/46	705 Carleton Road	2019
LACKETT, Christopher G & Amanda T		\$5,439.50

**Check payable and mail to:**

Jennifer R. Jacobus, Trustee for LACKETT, CHRISTOPHER G & AMANDA T  
201 Littleton Road, 1<sup>st</sup> Floor  
Morris Plains, NJ 07950

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Boyes was adopted by the following roll call vote:

**Resolution No. 73**  
WHEREAS, a condition has arisen with respect to either funds being needed for salaries and wages and/or contracts, commitments or payments being due to various vendors prior to the adoption of the 2020 Budget, and no provision was made in the 2020 Temporary Budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40:4-20 (Chapter 96, P.L. 1951, as amended) including this resolution total \$6,233,904.00 for the Current Fund and \$46,000.00 for the Swimming Pool Utility Fund,

NOW, THERFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

- 1. The emergency temporary appropriations listed below will be provided for in the 2020 Budget under the titles shown and for the amounts given as follows:

Current Fund		
	Salaries & Wages	Other Expenses
Administrative & Executive	22,000.00	30,000.00
Town Clerk	17,000.00	1,000.00
TV 36		2,000.00
Collection of Taxes	17,000.00	2,000.00
Assessment of Taxes	9,000.00	2,000.00
Financial Administration	28,000.00	1,000.00
Legal Services & Costs		47,000.00
Municipal Court	32,000.00	1,000.00
Municipal Prosecutor		
Engineering Services	60,000.00	
Public Works		136,000.00
Public Buildings & Grounds		37,000.00
Fire Department	120,000.00	14,000.00
Fire Official	12,000.00	1,000.00
Fire Hydrant Service		44,000.00
Parking Administration	19,000.00	
Police Department	373,000.00	57,000.00
Crossing Guards		
Emergency Management		
Inspection of Buildings	63,000.00	2,000.00
Planning Board		3,000.00
Telephone		42,000.00
Electricity		9,000.00
Street Lighting		17,000.00
Water		2,000.00
Gasoline		20,000.00
Heating Gas		4,000.00
Board of Health	19,000.00	5,000.00
Board of Health (Contractual)	177,000.00	2,000.00
Recreation	17,000.00	1,000.00
Celebration of Public Events		1,000.00
Maintenance of Free Public Library	6,000.00	
Animal Control		6,000.00
Board of Adjustment		5,000.00
Group Insurance		947,000.00
Other Insurance		138,000.00
Social Security System (OASI)		60,000.00
Debt Service – DBIZ Loan		17,000.00
Defined Contribution Retirement Plan (DCRP)		
Public Employees Retirement System (PERS)		1,030,303.00
Police & Firemen’s Retirement System (PFRS)		2,556,601.00
Subtotal	991,000.00	5,242,904.00
In the total amount of <u>\$6,233,904.00</u>		

Swimming Pool Utility Fund

	Salaries & Wages	Other Expenses
Swimming Pool Operations	26,000.00	10,000.00
Public Employees Retirement System (PERS)		6,000.00
Social Security (OASI)		4,000.00
Subtotal	26,000.00	20,000.00

In the total amount of \$46,000.00

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

The following resolution, introduced by Councilwoman Habgood, seconded by Councilwoman Mackey was adopted by the following roll call vote:

**Resolution No. 74**

RESOLVED that the Chief Financial Officer be and he is hereby authorized to make the following transfer(s) in the 2019 Budget (Appropriation Reserve) accounts:

	<u>OUT</u>	<u>IN</u>
<b><u>CURRENT FUND</u></b>		
FIRE		
9-01-125-219 (Other Expenses)	50	
9-01-125-222 (O/E)	2,100	
9-01-125-224 (O/E)	2,850	
 PUBLIC WORKS		
9-01-137-211 (O/E)		5,000
	<hr/> \$5,000	<hr/> \$5,000

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Mackey, Chairwoman of the Code Review & Town Property Committee and seconded by Councilwoman Habgood, were unanimously adopted with Councilman LoGrippto abstaining from Resolution No. 77-79.

**Resolution No. 75**

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License No. 2020-33-001-008 heretofore issued to WESTFIELD HOSPITALTY, LLC (t/a Westfield Fish & Brew Company, Westfield Fish & Brew), a pocket license with a mailing address of 76-86 Elm Street Westfield, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield does hereby approve, effective March 10, 2020, a person-to-person transfer of the aforesaid Plenary Retail Consumption License to HBC US PROPCO HOLDINGS, LLC and

BE IT FURTHER RESOLVED that the Town Council of the Town of Westfield does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to HBC US PROPCO HOLDINGS, LLC with a mailing address of 225 Liberty Street 31<sup>st</sup> Floor New York New York 10281, effective March 10, 2020”.

**Resolution No. 76**

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Nos Vino	127 Central Avenue
Ralph’s Famous Italian Ice	524 Central Avenue
Ono Bowls	107 Quimby Street
Cinnaholic	18 Elm Street
Tinga Taqueria	110 Central Avenue

**Resolution No. 77**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to direct the Town’s Planning Board to conduct a preliminary investigation into certain real property to determine whether such property qualifies as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, the Governing Body desires to authorize and direct the Planning Board of the Town (the “**Planning Board**”) to undertake a preliminary investigation to determine whether certain real properties, specifically:

Block	Lot	Street Address
2405	15	146 Elm Street
2505	12.01	131 Elm Street
3001	5	360 Waterson Street
3101	5	300 South Avenue West
3103	7	301 North Avenue West
3107	2	116 Elmer Street
3116	11	148 Central Avenue

(collectively, the “**Study Areas**”) qualify as non-condemnation areas in need of redevelopment pursuant to and in accordance with the Redevelopment Law; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. The Planning Board is hereby authorized and directed to undertake a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine if the Study Areas, or any part thereof, qualify as non-condemnation areas in need of redevelopment pursuant to and in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5* (the “**Investigation**”).
2. As part of the Investigation, the Planning Board shall prepare a map covering the Study Areas and showing the boundaries of the proposed non-condemnation redevelopment areas and the location of the various parcels contained therein and attaching to the map a statement setting forth the basis for the investigation.
3. The Planning Board shall conduct a public hearing, after giving due notice of the boundaries of the Study Areas and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Areas be designated as non-condemnation areas in need of redevelopment (the “**Public Hearing**”). The Public Hearing shall be conducted in accordance with the provisions set forth at *N.J.S.A. 40A:12A-6*.
4. At the conclusion of the Public Hearing, the Planning Board shall make a recommendation to the Mayor and Council in the form of a resolution with supporting documentation as to whether the Mayor and Council should or should not designate all or part of the Study Areas as non-condemnation areas in need of redevelopment pursuant to the Redevelopment Law.

5. Any designation made by the Mayor and Council with respect to the Study Areas, or any part thereof, as areas in need of redevelopment shall authorize the Town of use all those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain.

6. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

7. This Resolution shall take effect immediately.

**Resolution No. 78**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, *et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

**WHERAS**, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to direct the Town’s Planning Board to conduct a preliminary investigation into certain real property to determine whether such property qualifies as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, the Governing Body desires to authorize and direct the Planning Board of the Town (the “**Planning Board**”) to undertake a preliminary investigation to determine whether certain real properties, specifically:

Block	Lot	Street Address
2502	14	630 North Avenue West
2506	1	526 North Avenue West
2508	11	601-613 North Avenue West

(collectively, the “**Study Areas**”) qualify as non-condemnation areas in need of redevelopment pursuant to and in accordance with the Redevelopment Law; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

8. The Planning Board is hereby authorized and directed to undertake a preliminary investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine if the Study Areas, or any part thereof, qualify as non-condemnation areas in need of redevelopment pursuant to and in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-5 (the “**Investigation**”).

9. As part of the Investigation, the Planning Board shall prepare a map covering the Study Areas and showing the boundaries of the proposed non-condemnation redevelopment areas

and the location of the various parcels contained therein and attaching to the map a statement setting forth the basis for the investigation.

10. The Planning Board shall conduct a public hearing, after giving due notice of the boundaries of the Study Areas and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Areas be designated as non-condemnation areas in need of redevelopment (the “**Public Hearing**”). The Public Hearing shall be conducted in accordance with the provisions set forth at *N.J.S.A. 40A:12A-6*.

11. At the conclusion of the Public Hearing, the Planning Board shall make a recommendation to the Mayor and Council in the form of a resolution with supporting documentation as to whether the Mayor and Council should or should not designate all or part of the Study Areas as non-condemnation areas in need of redevelopment pursuant to the Redevelopment Law.

12. Any designation made by the Mayor and Council with respect to the Study Areas, or any part thereof, as areas in need of redevelopment shall authorize the Town of use all those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain.

13. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

14. This Resolution shall take effect immediately.

**Resolution No. 79**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

**WHEREAS**, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to direct the Town’s Planning Board to conduct a preliminary investigation into certain real property to determine whether such property qualifies as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, the Governing Body desires to authorize and direct the Planning Board of the Town (the “**Planning Board**”) to undertake a preliminary investigation to determine whether certain real property, specifically Block 3107, Lot 1, located at 244-254 East Broad Street (the

“**Study Area**”) qualifies as a non-condemnation area in need of redevelopment pursuant to and in accordance with the Redevelopment Law; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

15. The Planning Board is hereby authorized and directed to undertake a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* to determine if the Study Area qualifies as a non-condemnation area in need of redevelopment pursuant to and in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5* (the “**Investigation**”).

16. As part of the Investigation, the Planning Board shall prepare a map covering the Study Area and showing the boundaries of the proposed non-condemnation redevelopment area and the location of the parcel contained therein and attaching to the map a statement setting forth the basis for the investigation.

17. The Planning Board shall conduct a public hearing, after giving due notice of the boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area be designated as a non-condemnation area in need of redevelopment (the “**Public Hearing**”). The Public Hearing shall be conducted in accordance with the provisions set forth at *N.J.S.A. 40A:12A-6*.

18. At the conclusion of the Public Hearing, the Planning Board shall make a recommendation to the Mayor and Council in the form of a resolution with supporting documentation as to whether the Mayor and Council should or should not designate the Study Area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law.

19. Any designation made by the Mayor and Council with respect to the Study Area as an area in need of redevelopment shall authorize the Town to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, other than the use of eminent domain.

20. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

21. This Resolution shall take effect immediately.

**General Ordinance No. 2162**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2162- AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING GROUND MOUNTED AIR CONDITIONING EQUIPMENT”



The motion was seconded by Councilman Parmelee

Yeas:	Nays:	Absent:
Habgood		
Parmalee		
LoGrippe		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2162 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### **General Ordinance No. 2163**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2163- AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING POWER GENERATORS"

The motion was seconded by Councilman Dardia

Yeas:	Nays:	Absent:
Habgood		
Parmalee		
LoGrippe		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2163 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### **General Ordinance No. 2164**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2164- AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD PERTAINING TO PERMITTED YARD ENCROACHMENTS"

The motion was seconded by Councilwoman Habgood

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2164 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2165**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2165- AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REVISING THE SUBMISSION REQUIREMENTS FOR PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPLICATIONS”

The motion was seconded by Councilman Dardia

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2165 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2166**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2166 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD LISTING ALL ZONE DISTRICTS”

The motion was seconded by Councilman Contract

Yeas:	Nays:	Absent:
Habgood		
Parmalee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2166 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### **General Ordinance No. 2167**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2167 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING NOTICE OF HEARINGS"

The motion was seconded by Councilman Katz

Yeas:	Nays:	Absent:
Habgood		
Parmalee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2167 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of April 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### **General Ordinance No. 2168**

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2168 - AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO ESTABLISH THE HUMAN RELATIONS ADVISORY COMMISSION FOR THE TOWN OF WESTFIELD"

The motion was seconded by Councilman Contract

Yeas: Habgood	Nays:	Absent:
Parmalee		
LoGrippe		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2168 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 24th day of March 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee and seconded by Councilman LoGrippe, was unanimously adopted.

#### **Resolution No. 80**

WHEREAS, a need exists for the purchase of various landscape material for use by the Department of Public Works, as provided for in Public Works account 137-255, and

WHEREAS, sealed bids were received on Wednesday, February 5, 2020, and

WHEREAS, the low bid, submitted by Northern Nurseries of New Jersey, Inc., has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Public Works account 137-255, under Purchase Order #20-00763, in an amount not expected to exceed \$60,000.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract be awarded to Northern Nurseries of New Jersey, Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

**Resolution No. 81**

WHEREAS, on June 18, 2019, the Westfield Town Council awarded a contract by Resolution 165-2019 to D.L.S. Contracting, Inc., for the 2019 ADA Compliant Curb Ramps project in Westfield, New Jersey as authorized by S.O. 2216A, and

WHEREAS, N.J.A.C. 5:30 provides for increases and decreases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to S.O. 2216A under Purchase Order #19-02342, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment in the amount of \$45,846.18 and to effect whatever actions are appropriate by said acceptance for the 2019 ADA Compliant Curb Ramps, with a final contract price of \$160,922.38 a reduction of \$54,077.62 from the original award of contract.

**Reports of Department Heads****ADJOURNMENT**

A motion to adjourn, made by Councilwoman Mackey and seconded by Councilman Contract at 9:48 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk